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## Court of Criminal Appeals

State of Alabama  
Judicial Building, 300 Dexter Avenue  
P. O. Box 301555  
Montgomery, AL 36130-1555

H.W."BUCKY" McMILLAN  
Presiding Judge  
SUE BELL COBB  
PAMELA W. BASCHAB  
GREG SHAW  
A. KELLI WISE  
Judges

**RELEASED**

OCT 22 2004

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### MEMORANDUM

#### On Return to Remand

CR-03-0565

Henry Circuit Court CC-02-205 and -206

Johnny C. Grace, Jr. v. State

McMILLAN, Presiding Judge.

Johnny C. Grace, Jr., was convicted of two counts of robbery in the first degree and was sentenced to concurrent terms of 99 years' imprisonment on each count. Grace was ordered to pay \$5,121.83 in restitution to the victims and was ordered to reimburse the Governor's office and Crime Stoppers \$5,000 and \$1,000, respectively, for moneys paid by those entities as rewards for information leading to the arrest and conviction of Grace.

We affirmed Grace's convictions and sentences by unpublished memorandum. See Grace v. State, (CR-02-1017, Oct. 24, 2003), \_\_\_ So. 2d \_\_\_ (Ala. Crim. App. 2003) (table). Subsequent to a certificate of judgment being entered, the trial court modified its restitution order, requiring Grace to reimburse the Governor's office and Crime Stoppers for the rewards paid by them to a witness. Grace appealed, contending

**EXHIBIT**

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that the trial court's amended restitution order was time-barred and arguing that these entities were not "victims" as intended by the restitution act. In a published opinion, a case of first impression, we agreed with Grace, and remanded this case with directions to the trial court to modify its restitution order to remove the ordered reimbursements to the Governor's office and to Crime Stoppers.

On September 9, 2004, the trial court submitted its return to this Court's remand. On remand, the circuit court amended its restitution order "by deleting payment of restitution to the Governor's Office and to Crime Stoppers." Because the trial court has complied with our instructions, we affirm that court's judgment.

AFFIRMED.

Cobb, Baschab, Shaw, and Wise, JJ., concur.